

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON

F5 NETWORKS, INC., a Washington  
corporation,

Plaintiff,

v.

A10 NETWORKS, INC., a California  
corporation,

Defendant.

No.

COMPLAINT FOR  
PATENT INFRINGEMENT

Plaintiff F5 Networks, Inc. ("F5") for its Complaint against defendant A10 Networks, Inc.,  
alleges as follows:

**THE PARTIES**

1. Plaintiff F5 is a Washington corporation with its principal place of business at 401  
Elliott Avenue West in Seattle, Washington, 98119.

2. Upon information and belief, defendant A10 Networks, Inc. ("A10") is a California  
corporation, with its principal place of business at 2309 Bering Drive, San Jose, California 95131.

**JURISDICTION AND VENUE**

3. This is an action for patent infringement under the patent laws of the United States, 35  
U.S.C. § 271 et seq. This Court has jurisdiction under 28 U.S.C. §§ 1331 (federal question), 1332  
(diversity), and 1338(a) (patent case).

1           4.       Venue is proper within this judicial district under 28 U.S.C. §§ 1391(b) and (c)  
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3 because a substantial part of the events or omissions giving rise to the claim occurred in this district,  
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5 and defendant is subject to personal jurisdiction here.  
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7                                   **PLAINTIFF AND ITS RIGHTS**  
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9           5.       F5 is a leading innovator in the design and distribution of products and services that  
10 manage message traffic over computer-mediated networks, such as the Internet. F5's traffic  
11 management products, for example, allow customers to manage traffic flow to and from their web  
12 servers.  
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16           6.       The United States Patent and Trademark Office has acknowledged F5's innovations  
17 by awarding F5 patents.  
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20           7.       On September 5, 2006, the United States Patent and Trademark Office issued United  
21 States Patent No. 7,102,996 ("the '996 patent") entitled, "Method and System for Scaling Network  
22 Traffic Managers," a copy of which is attached hereto as Exhibit A. The '996 patent is directed  
23 generally at methods and systems for routing packets and messages between client computers and  
24 servers.  
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30           8.       F5 is the owner of the '996 patent, and has the right to sue for infringement of the  
31 patent.  
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34           9.       On July 1, 2008, the United States Patent and Trademark Office issued United States  
35 Patent No. 7,395,349 ("the '349 patent"), also entitled "Method and System for Scaling Network  
36 Traffic Managers," a copy of which is attached hereto as Exhibit B. The '349 patent is based on a  
37 continuation-in-part of the application that led to the '996 patent. As with the '996 patent, the '349  
38 patent is directed at innovations in the routing of messages and packets over a network.  
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44           10.      F5 is the owner of the '349 patent, and has the right to sue for infringement of the  
45 patent.  
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**CLAIMS FOR PATENT INFRINGEMENT  
AGAINST DEFENDANT A10 NETWORKS, INC.**

11. F5 realleges and incorporates by reference the allegations in paragraphs 1-10 above as if fully set forth herein.

12. On information and belief, defendant A10 adopted the name "A10 Networks" as a play, or allusion to, F5's corporate name.

13. A10 has repeatedly attempted to emulate the products and services of F5, to the point of having in the past, directed customers to F5's website for information as to how to use A10 products.

14. Defendant A10 has been and is infringing the '996 patent directly and indirectly by making, using, and/or selling products, including at least its AX series products, that practice or enable the practice of inventions claimed in one or more of the claims of the '996 patent.

15. Defendant A10 has been and is infringing the '349 patent directly and indirectly by making, using, and/or selling products, including at least its AX series products, that practice or enable the practice of inventions claimed in one or more of the claims of the '349 patent.

16. A10's acts of infringement have caused, and will continue to cause, substantial and irreparable injury to F5 and its rights.

17. On information and belief, an opportunity for discovery will establish defendant A10's acts of infringement were deliberate and willful because defendant knew or should have known of the '996 and '349 patents, and its acts of infringement were committed recklessly.

**REQUEST FOR RELIEF**

WHEREFORE, F5 seeks judgment against defendant A10 as follows:

1. A preliminary and permanent injunction, enjoining defendant and its agents, servants, employees and all those in privity with defendant from making, using, selling or offering for sale any product that infringes or enables the infringement of the '996 patent, from contributing to infringement of the patent, or inducing others to infringe the patent;

2. A preliminary and permanent injunction, enjoining defendant and its agents, servants, employees and all those in privity with defendant from making, using, selling or offering for sale any product that infringes or enables the infringement of the '349 patent, from contributing to infringement of the patent, or inducing others to infringe the patent;

3. An award of damages to compensate F5 for the infringement that has occurred, pursuant to 35 U.S.C. § 284 or as otherwise permitted by law;

4. An award of enhanced damages in accordance with 35 U.S.C. § 284 or as otherwise permitted by law;

5. An award of F5's costs of suit, including F5's reasonable attorneys' fees pursuant to 35 U.S.C. § 285 or as otherwise permitted by law;

6. An assessment of interest, both pre-judgment and post-judgment, on the damages so computed; and

7. Such other and further relief as the Court deems just and proper.

### DEMAND FOR JURY TRIAL

Pursuant to Federal Rules of Civil Procedure 38(b), plaintiff F5 hereby demands trial by jury of all issues so triable that are raised herein or which hereinafter may be raised in this action.

DATED: April 15, 2010.

/s/ Ramsey M. Al-Salam

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